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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/715,453	11/17/2000	James M. Dunn	6169-134	5681

7590 11/18/2004
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EXAMINER

ZHONG, CHAD

ART UNIT	PAPER NUMBER
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2152

DATE MAILED: 11/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/715,453

Applicant(s)

DUNN ET AL.

Examiner

Chad Zhong

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SP

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 and 32-52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 and 32-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

OFFICE ACTION

1. This action is responsive to communications: Amendment, filed on 10/18/2004.

Claims 1-26, 32-52 are presented for examination. In the amendment, filed on 10/18/2004:

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371 (c) of this title before the invention thereof by the applicant for patent.

3. Claims 1-9, 21, 32-40, 52 are rejected under 35 U.S.C. 102(e) as being anticipated by

Mighdoll et al. (hereinafter Mighdoll), US 5,918,013.

4. As per claims 1 and 32, Mighdoll teaches a hypermedia content presentation method comprising:

presenting hypermedia content, said hypermedia content containing hyperlinks to additional hypermedia content (Col. 6, lines 25-32);

storing selected ones of said hyperlinks in a delayed viewing list (Col. 12, lines 40-50, wherein the selection is based upon popularity for example); and

caching hypermedia content associated with said stored hyperlinks during said presenting step (Col. 12, lines 30-50).

5. As per claims 2 and 33, Mighdoll teaches the method of claim 1 and 32 respectively, further comprising reconfiguring said stored hyperlinks to point to said cached hypermedia content (this is inherent, as cache get filled up with content retrieved prior to viewing, the link that is to be activated by the client would then be pointing to the cache for efficient retrieval, this is suggested in Col. 12, lines 30-

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50).

6. As per claims 3 and 34, Mighdoll teaches the method of claims 1 and 32 respectively, wherein said presenting step comprises displaying Web content in a Web browser, said Web content containing hyperlinks to additional Web content (Col. 5, lines 25-35).

7. As per claim 4 and 35, Mighdoll teaches the method of claim 3, wherein said presenting step further comprises playing back multimedia content in a multimedia content player (Col. 11, lines 10-30, wherein the media player is inherently needed to play back the different types of media contents).

8. As per claim 5 and 36, Mighdoll teaches the method of claim 1, wherein said presenting step comprises displaying audiovisual television content combined with hypermedia content in a television set (abstract, wherein the invention deals with WebTV).

9. As per claims 6 and 37, Mighdoll teaches the method of claims 1 and 32 respectively, wherein said caching step comprises caching hypermedia content in a server communicatively linked to said content browser (Col. 12, lines 6-10).

10. As per claims 7 and 38, Mighdoll teaches the method of claims 1 and 32 respectively, wherein said caching step comprises caching hypermedia content in a local cache communicatively linked to said content browser (Fig 4A, wherein the proxy cache is local to the user, and not a part of the server, furthermore, it is inherent that browsers have caches of their own to cache contents locally).

11. As per claims 8 and 39, Mighdoll teaches the method of claims 1 and 32 respectively, wherein said caching step comprises:

evaluating available system resources (Col. 13, lines 46-60); and

based upon said evaluation, caching said further hypermedia content in a proxy cache where

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downloading said further hypermedia content to a local cache can constrain local resources (Col. 13, lines 46-60, wherein the local resources are limited, and proxy cache is to cache as much information as it can handle to alleviate the load on the local client).

12. As per claims 9 and 40, Mighdoll teaches the method of claims 1 and 32 respectively, wherein said caching step comprises:

evaluating available system resources; and,

based upon said evaluation, downloading said hypermedia content associated with said stored hyperlinks to a hypermedia content cache when said system resources are available, and delaying said downloading when said system resources are constrained (Col. 13, lines 46-60).

14. As per claims 21 and 52, Mighdoll does not teach the method of claim 1, wherein said caching step comprises:

determining if a selected hyperlink is associated with hypermedia content having a limited lifetime;

if it is determined that a selected hyperlink is associated with hypermedia content having a limited lifetime, identifying further hypermedia content necessary for viewing said hypermedia content having a limited lifetime, and downloading said hypermedia content having a limited lifetime and said necessary further hypermedia content (Col. 11, line 50 – Col. 12, line 25).

15. Claims 22-24 are rejected under 35 U.S.C. 102(e) as being anticipated by “SlipKnot” May 5, 1997.

16. As per claim 22, SlipKnot teaches a hypermedia content presentation system comprising:

a content browser for presenting hypermedia content to a user;

a content cache for storing further hypermedia content related to said hypermedia content presented in said content browser;

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a delayed viewing list for storing hyperlinks to said further hypermedia content in said content cache, said hyperlinks contained in said hypermedia content presented in said content browser; and

a delayed viewing list manager;

said delayed viewing list manager downloading said further hypermedia content to said content cache during said presentation of said hypermedia content in said content browser (pg 4, item#6; pg 8 and 9).

17. As per claim 23, SlipKnot teaches the hypermedia content presentation system of claim 22, wherein said content browser is a Web browser and said hypermedia content is Web content (pg 9).

18. As per claim 24, SlipKnot teaches the hypermedia content presentation system of claim 22, wherein said content cache is a local cache associated with said content browser (see for example, pg 4, item #12).

Claim Rejections - 35 USC § 103

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. Claims 10, 13, 41, 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mighdoll et al. (hereinafter Mighdoll), US 5,918,013 in view of Helfman, US 6,119,135.

21. As per claim 10 and 41, Mighdoll does not explicitly teach the method of claims 1 and 32 respectively, wherein said caching step comprises:

configuring a page depth to which said hyperlinks in said hypermedia content associated with said stored hyperlinks can be followed;

downloading said hypermedia content associated with said stored hyperlinks, said downloaded hypermedia content containing additional hyperlinks to further hypermedia documents;

further downloading said further hypermedia documents, said further hypermedia documents containing further hyperlinks to even further hypermedia documents; and,

repeating said further downloading step until reaching said configured page depth.

22. Helfman teaches the above sections see for example Col. 6, lines 43-52 for the purposes of efficient search.

23. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Mighdoll and Helfman because they both dealing with intermediary cache system for temporary information storage. Furthermore, the teaching of Helfman to allow define the depth of link retrieval would improve the latency for Mighdoll's system by retrieving link contents at a set level prior to the actual access of the said web content, thus decreasing the retrieval time.

24. As per claims 13, 44, Mighdoll does not explicitly teach claims 1 and 32 respectively, further comprising adapting said cached hypermedia content for full text searching in a full text search engine

25. Helfman teaches the above sections see for example Col. 6, lines 5-15.

26. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Mighdoll and Helfman because they both dealing with intermediary cache system for temporary information storage. Furthermore, the teaching of Helfman to allow adapting cached hypermedia content for full text searching in a full text search engine would improve the functionality for Mighdoll's system by efficiently retrieving cached link contents, allowing the user to access cached contents at a faster speed.

27. As per claims 11 and 42, claims 11 and 42 are rejected for the same reasons as rejection to claim 2 above.

28. Claims 12 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mighdoll et al. (hereinafter Mighdoll), US 5,918,013 in view of Altschuler et al. (hereinafter Altschuler), US 6,088,718.

29. As per claims 12 and 43, Mighdoll does not explicitly teach the method of claims 1 and 32 respectively, wherein said caching step further comprises:

establishing a set of folders having an associated topic; and,

downloading said hypermedia content to selected ones of said set of folders, each folder in said set containing hypermedia content corresponding to a topic associated with said folder.

30. Altschuler teaches the above sections see for example Col. 34, lines 1-14.

31. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Mighdoll and Altschuler because they both dealing with intermediary cache system for temporary information storage. Furthermore, the teaching of Altschuler to allow grouping of download sections into categories would improve the latency for Mighdoll's system by grouping likely contents together, thus when time comes to utilize cached information, searches in the related categories would decrease the search time to present to the client a faster generated result page, thus dimension reduction is achieved by grouping of similar pre-fetched items in effort to cut down on search time.

32. Claim 14, 15, 17, 19 and 45, 46, 48, 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mighdoll et al. (hereinafter Mighdoll), US 5,918,013 in view of 'Official Notice'.

33. As per claims 14 and 45, Mighdoll teaches the method of claims 1 and 32 respectively, wherein said storing step further comprises:

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associating expiration data with each hyperlink in said delayed viewing list (Col. 12, lines 1-25);

Mighdoll does not explicitly teach:

purging hyperlinks from said delayed viewing list based on said expiration data.

However, "Official Notice" is taken that the concept and advantages of providing for purging data upon expiration is well known and expected in the art. It would have been obvious to one of ordinary skill in the art to include the above functionality with Mighdoll because it would provide for conservation of finite resources.

34. As per claims 15, 17, 46, 48 are rejected for the same reasons as rejection to claim 14 above.

35. As per claim 19 and 50, Mighdoll does not explicitly teaches method of claims 1 and 32 respectively, further comprising:

selecting hyperlinks in said delayed viewing list; and,

adding said selected hyperlinks to a list of bookmarks in a content browser.

However, "Official Notice" is taken that the concept and advantages of providing adding links to a bookmark is well known and expected in the art. It would have been obvious to one of ordinary skill in the art to include the above functionality with Mighdoll because it would provide for future reference of a web page after the link has been saved into a bookmark file.

36. Claims 16, 18, 20, and 47, 49, 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mighdoll et al. (hereinafter Mighdoll), US 5,918,013 in view of SlipKnot, May 5, 1997.

37. As per claim 16, and 47 Mighdoll does not explicitly teach the method of claims 1 and 32 respectively, further comprising manually managing selected hyperlinks in said delayed viewing list.

38. SlipKnot teaches the above section see for example pg 4, item #6.

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39. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Mighdoll and SlipKnot because they both dealing with intermediary cache system for temporary information storage. Furthermore, the teaching of SlipKnot to allow user selected links to keep track and manage would improve the functionality for Mighdoll's system by allowing the users themselves and not the server to keep track of the items that he/she want to keep track of, thus giving the user more freedom to choose desirable contents to cache.

40. As per claims 18 and 49, Mighdoll does not explicitly teach the method of claims 1 and 32 respectively, further comprising:

selecting hyperlinks in said delayed viewing list; and

presenting cached hypermedia content associated with said selected hyperlink.

41. SlipKnot teaches the above see for example pg 4, item 6.

42. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Mighdoll and SlipKnot because they both dealing with intermediary cache system for temporary information storage. Furthermore, the teaching of SlipKnot to allow the user to keep track and manage of hyperlinks would improve the functionality for Mighdoll's system by allowing the users themselves and not the server to keep track of the items that he/she want to keep track of, thus giving the user more freedom to choose desirable contents to cache.

43. As per claims 20, 51, Mighdoll does not explicitly teach further comprising manually managing said cached hypermedia content.

44. SlipKnot teaches the above section see for example pg 4, item #6.

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45. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Mighdoll and SlipKnot because they both dealing with intermediary cache system for temporary information storage. Furthermore, the teaching of SlipKnot to allow the user to keep track and manage of hyperlinks would improve the functionality for Mighdoll's system by allowing the users themselves and not the server to keep track of the items that he/she want to keep track of, thus giving the user more freedom to choose desirable contents to cache.

46. Claims 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over SlipKnot, May 5, 1997 in view of Mighdoll et al. (hereinafter Mighdoll), US 5,918,013.

47. As per claim 25, SlipKnot does not explicitly teaches the hypermedia content presentation system of claim 22, wherein said content cache is a proxy cache communicatively linked to said content browser.

48. Mighdoll teaches the above limitation see for example Col. 13, lines 46-60.

49. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Mighdoll and SlipKnot because they both dealing with intermediary cache system for temporary information storage. Furthermore, the teaching of Mighdoll which allows proxy cache to be linked to the browser would improve the resource management for SlipKnot's system by allowing a manager to keep track of availability of finite resource available on the cache and further utilizing a remote cache for storage purposes. SlipKnot assumes a finite cache, however SlipKnot further mentions the cache is limited by the size of disk on the local computer, thus entailing a finite cache.

50. As per claim 26, SlipKnot does not explicitly teaches the hypermedia content presentation system of claim 22, wherein said delayed viewing list manager further comprises:

a resource sensitive downloading agent;

said resource sensitive downloading agent monitoring available system

resources;

said resource sensitive downloading agent downloading said further hypermedia content to said content cache when system resources are available;

said resource sensitive downloading agent delaying said downloading when said system resources are constrained.

51. Mighdoll teaches the above sections see for example Col. 13, lines 45-60

52. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Mighdoll and SlipKnot because they both dealing with intermediary cache system for temporary information storage. Furthermore, the teaching of Mighdoll sensitive monitoring of existing resources would improve the resource management for SlipKnot's system by allowing a manager to keep track of availability of finite resource available on the cache. SlipKnot assumes a finite cache, however SlipKnot further mentions the cache is limited by the size of disk on the local computer, thus entailing a finite cache.

Conclusion

53. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents and publications are cited to further show the state of the art with respect to "User Specified Parallel Data Fetching For Optimized Web Access".

- | | | |
|------|--------------|----------|
| i. | US 6,199,071 | Nielsen. |
| ii. | WO 00/55741 | Siegel. |
| iii. | EP 0987639 | Moreau. |

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Zhong whose telephone number is (571)272-3946. The examiner can normally be reached on M-F 7am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (571)272-3964. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CZ
November 9, 2004

A handwritten signature in black ink, appearing to read 'Dung C. Dinh', with a long horizontal flourish extending to the right.

Dung C. Dinh
Primary Examiner